

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$18,000 IN U.S. CURRENCY,
AND ANY ACCRUED INTEREST,

Defendant.

CASE NO. CV20-1811

**VERIFIED COMPLAINT
FOR FORFEITURE *IN REM***

COMES NOW the United States, by and through its undersigned counsel, and
alleges:

I. NATURE OF THE ACTION

1. This is a civil *in rem* action for the forfeiture of \$18,000 in U.S. currency seized by the United States Postal Inspection Service (“USPIS”) from U.S. Postal Service Priority Express Mail Parcel #EJ092010531US on July 17, 2020 in Tukwila, Washington (the “Defendant Currency”).

II. LEGAL BASIS FOR FORFEITURE

2. The Defendant Currency is forfeitable pursuant to 21 U.S.C. § 881(a)(6) for violations of 21 U.S.C. §§ 841(a)(1) (distribution of controlled substances) and 846 (attempt or conspiracy to distribute controlled substances). Specifically, counsel for the

1 United States has a reasonable belief the government will be able to prove, to a
2 preponderance at trial, that the Defendant Currency represents proceeds from the sale of
3 controlled substances and/or moneys furnished for the purchase of controlled substances.

4 **III. JURISDICTION AND VENUE**

5 3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1345
6 (United States is plaintiff) and 1355(a) (action for forfeiture).

7 4. Venue is proper in this Court pursuant to 28 U.S.C. § 1355(b)(1)(A) (acts
8 giving rise to the forfeiture occurred in this district) and 28 U.S.C. § 1395(b) (the
9 Defendant Currency was seized in this district).

10 5. Pursuant to a seizure warrant issued in Western District of Washington,
11 Cause No. MJ20-438, and executed on July 17, 2020, the U.S. Postal Inspection Service
12 took custody of the Defendant Currency, and it remains in that agency's custody.

13 6. As provided in Supplemental Rule G(3)(b)(i), the Clerk of Court is required
14 to issue a warrant to arrest the Defendant Currency if it is in the government's possession,
15 custody, or control. As such, the Court will have *in rem* jurisdiction over the Defendant
16 Currency when the accompanying Warrant of Arrest *In Rem* is issued, executed, and
17 returned to the Court.

18 **IV. FACTUAL BASIS FOR FORFEITURE**

19 7. On July 15, 2020, USPIS Postal Inspectors conducted interdiction
20 operations targeting controlled substances and/or proceeds from illegal drug activity
21 including from the unauthorized sale and distribution of controlled substances. Part of
22 the interdiction efforts were performed by searching databases of parcel information.
23 These operations took place in many parts of Washington State, including at the Seattle
24 Processing and Distribution Center, located at 10700 27th Avenue South, Tukwila,
25 Washington, 98168.

26 8. During the interdiction operations, U.S. Priority Express Mail Parcel
27 #EJ092010531US ("the Parcel") was identified for further inspection.
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9. The Parcel was a U.S. Postal Service Priority Express Mail box that measured approximately 13" x 10" x 13.5" and weighed approximately 7 pounds, 15 ounces. It was shipped as two-day delivery and carried \$91.65 in postage. It was postmarked July 14, 2020, in Roanoke, Virginia. The delivery confirmation number is #EJ092010531US.

10. The Parcel was addressed from Chuck King, 534 Mountain Ave., Apt. B, Roanoke, VA 24016 and addressed to David Schneider, 1154 Lakewood Lane, Bellingham, WA 98229. A photograph of the mailing labels is included below.



11. Investigation revealed that 1154 Lakewood Lane, Bellingham, WA 98229 is a true and deliverable address. David Schneider is one of the individuals associated with this address in postal databases

12. Investigation revealed that 534 Mountain Ave., Apt. B, Roanoke, VA 24016 is a true and deliverable address. Chuck King is one of the individuals associated with this address in postal databases.

1 13. Based on his training and experience, United States Postal Inspector
2 Michael Harrold noted that this parcel bore multiple features that are consistent with the
3 distribution of controlled substances and related proceeds.

4 **A. *External Features of the Parcel Consistent with Drug Trafficking***

5 14. Review of U.S. Postal Service database information revealed that the Parcel
6 was mailed from a different zip code than the zip code of the return address. Those who
7 distribute controlled substances, or currency in payment for controlled substances,
8 through the U.S. mail often provide erroneous, fictitious, and/or misleading information
9 on mailing labels as a tactic to conceal their true identity and address from law
10 enforcement. The zip codes for the sender address on Express and Priority Mail parcels
11 containing controlled substances and/or proceeds are often different from the zip codes of
12 the post offices from which the parcels were mailed.

13 15. Virginia is a known destination state for marijuana parcels shipped from
14 Washington that contain marijuana. The possession and distribution of recreational
15 marijuana remains illegal in Virginia. Proceeds from the sale and distribution of
16 controlled substances received from Washington are often sent back from destination
17 states as payment via the U.S. mail system, as are moneys furnished for the purchase of
18 controlled substances.

19 16. Review of U.S. Postal Service databases revealed that the mailer of the
20 Parcel used cash to pay for the postage. Those who distribute controlled substances, or
21 currency in payment for controlled substances, through the U.S. mail often pay for
22 postage with cash because use of a debit or credit card may allow law enforcement to
23 identify the shipper to a known address or provide other identifiers.

24 17. The mailing label of the Parcel was handwritten and appeared to have been
25 sent from one private individual to another private individual. It did not appear to be
26 business related. Those who distribute controlled substances, or currency in payment for
27 controlled substances, through the U.S. mail often handwrite mailing labels instead of
28 using pre-printed labels, which is customary in business mailings.

1 18. The same telephone number was provided for both the sender and recipient
2 of the Parcel. Investigation revealed that this telephone number is a Voice Over Internet
3 Protocol (“VOIP”) number in Hermosa Beach, California; no individual was associated
4 with the telephone number. Those who distribute controlled substances, or currency in
5 payment for controlled substances, through the U.S. mail often choose not to include
6 telephone numbers – or provide incorrect telephone numbers – on parcels, so as not to
7 enable law enforcement to trace their names or physical locations.

8 19. The Parcel was heavily taped. Those who distribute controlled substances,
9 or currency in payment for controlled substances, through the U.S. mail often use
10 excessive tape on their parcels, both in an effort to conceal any drug-related scent that
11 might emanate from the parcel and to make the parcel less susceptible to tampering.

12 20. Postal Inspector Harrold conducted a check of USPIS records and learned
13 that on June 28, 2016, after executing a federal search warrant, the USPIS in Virginia
14 seized \$20,000 in U.S. Currency and a cellular phone inside an Express Parcel sent from
15 Roanoke, Virginia to “Dave Schneider 1154 Lakewood Lane Bellingham, WA 98229.”
16 Photographs of the mailing label from the 2016 Parcel and the currency and cell phone it
17 contained are included below:

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WRITE FIRMLY WITH BALL POINT PEN ON HARD SURFACE TO MAKE ALL COPIES LEGIBLE

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) **Jonathan O'Meara** PHONE: **437-6456**

726 townside Rd Apt #2
Romoke VA 24014

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature, OR 2) Purchases additional insurance, OR 3) Purchases COD service, OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

☐ No Saturday Delivery (delivered next business day)

☐ Sunday/Holiday Delivery Required (additional fee, where available)

☐ 10:30 AM Delivery Required (additional fee, where available)

*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) **Dave Schneider** PHONE: ()

1154 Lakewood Lane
Bellingham WA

ZIP + 4® (U.S. ADDRESSES ONLY)
98229

ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☒ 2-Day ☐ Military ☐ DPO

PO ZIP Code **24018** Scheduled Delivery Date (MM/DD/YY) **6/29/16** Postage **\$51.75**

Date Accepted (MM/DD/YY) **6/27/16** Scheduled Delivery Time ☐ 10:30 AM ☐ 3:00 PM ☐ 12 NOON

Time Accepted **3:13** ☐ AM ☒ PM

Weight **3.4** lbs. ☐ Flat Rate ☐ Sunday/Holiday Premium Fee ☐ Insurance Fee ☐ COD Fee

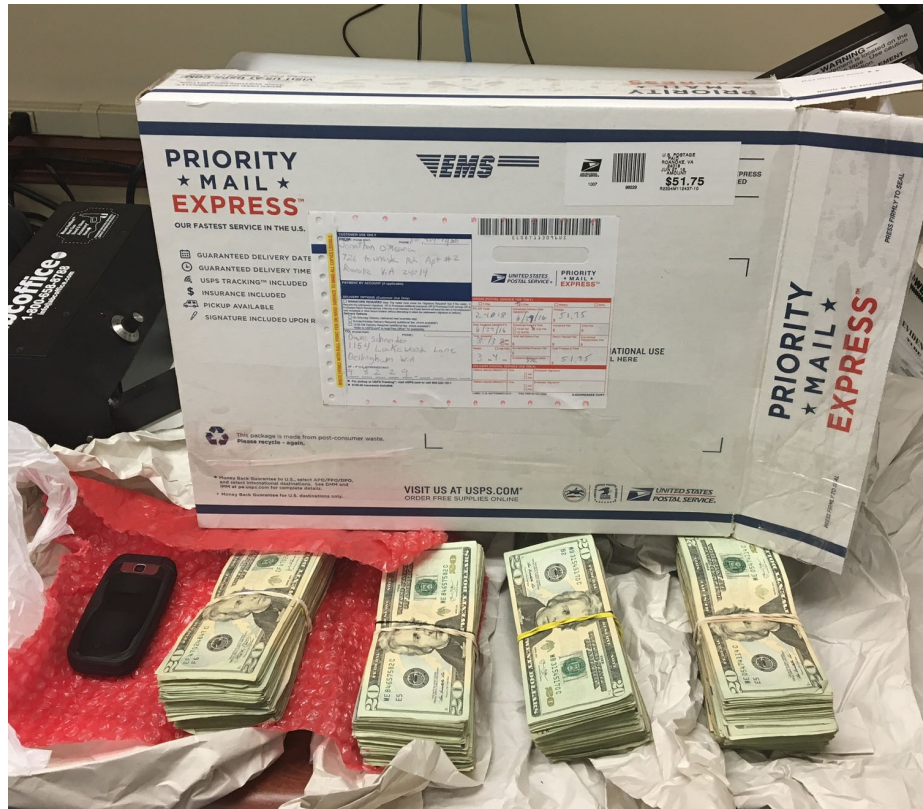
Acceptance Employee Initials **SK** Total Postage & Fees **\$51.75**

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

LABEL 11-B, SEPTEMBER 2015 PSN 7590-02-000-9996 3-ADDRESSEE COPY



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Verified Complaint for Forfeiture *In Rem* - 6
United States v. \$18,000 in U.S. Currency and Any Accrued Interest

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

B. Further Investigation of the Parcel

21. Based on the information identified above, as well as his training and experience, Postal Inspector Harrold deemed there was reasonable suspicion to detain the parcel for further investigation.

22. Postal Inspectors requested the assistance of Task Force Officer (“TFO”) James Sturgill and his certified controlled substance detection K-9 partner, “Apollo.” Apollo is a passive alert canine and is trained to give a “sit response” after having identified the specific location from which the odor of a controlled substance is emitting. Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and cocaine; he cannot communicate which of these substances he has detected.

23. TFO Sturgill had Apollo do an initial search of a warehouse area in the Tukwila facility, and he did not alert on any items or areas. Postal Inspectors then placed the Parcel in an out-of-sight location in the warehouse area, out of the view of TFO Sturgill and Apollo. During Apollo’s subsequent search of the warehouse area, he changed behavior when he approached the Parcel. Apollo stopped, took several deep breaths, and “sat.” This was an indication to TFO Sturgill that Apollo detected an odor of a controlled substance emanating from the Parcel.

24. Individuals who regularly handle controlled substances often leave the scent of controlled substances on the box and other packaging materials they handle. Packaging materials are often stored in close proximity to the controlled substances, thereby transferring the odor of the controlled substances to the packaging materials. Controlled substances canines (also called narcotics canines) are trained to alert on these substances.

25. After this positive K-9 alert, Postal Inspectors applied for a warrant to search the Parcel.

C. Search of the Parcel

26. On July 17, 2020, the Honorable Brian A. Tsuchida, Chief United States Magistrate Judge for the Western District of Washington, issued a search warrant in

Cause No. MJ20-438, authorizing the search of this parcel. A photograph of the unopened Parcel and search warrant is included below:



27. After obtaining the search warrant, Postal Inspectors Michael Harrold and Kimberly Myhrer executed the warrant and opened the Parcel.

28. The Parcel contained plastic bags and another USPS box, to the top of which were affixed mailing and postage labels from a previous mailing. USPS records revealed that the previous mailing was sent to 534 Mountain Ave. #B, Roanoke, VA 24016 and weighed over 5 pounds. This suggests the sender was reusing a box from a previously received parcel that may have contained controlled substances. The box was mailed from a post office in Bellingham, WA on July 7, 2020. On the bottom of the inner box was a mailing label containing the same information as the one on the outside of the Parcel. Photographs of the plastic bags and inner box, in situ, and the top and bottom of the sealed inner box are included below:

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29. Within this internal box was more packing material and a retail box for a “Crunch” amplifier. Inspector Harrold opened the box and removed the amplifier, which was inside a plastic bag and resting in form-fitting Styrofoam. He inspected the outside of the amplifier and saw that there were two screws missing on the bottom of the amplifier and the casing was slightly askew. Inspector Harrold removed the remaining screws holding the top and bottom of the amplifier together. Inside, the electrical components had been removed and replaced with a bundle that was completely wrapped

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in black duct tape. He cut off the duct tape and found several stacks of U.S. Currency. Photographs of the inner box, packaging, and currency are included below.



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30. The Parcel did not contain any notes, instructions, or relevant receipts. The package did contain a receipt from Walmart that appeared to be unrelated to the contents of the package. Those who distribute controlled substances and send the proceeds of that distribution through the U.S. mail rarely include in their parcels any explanatory information as to the source or purpose of the proceeds. Conversely, legitimate business transactions or personal gifts involving cash or monetary instruments generally contain explanatory notes, letters, receipts, cards or coupons.

31. The currency in the Parcel totaled \$18,000. It was comprised of 20 \$10 bills (\$200); 325 \$20 bills (\$6,500); 138 \$50 bills (\$6,900); and 44 \$100 bills (\$4,400). Those who distribute controlled substances typically use low denomination currency to

1 conduct their business. For that reason, \$20 bills are the most common bills found in
2 seizures from U.S. mail of currency related to the distribution of controlled substances.

3 32. The USPS seized the Defendant Currency for administrative forfeiture
4 pursuant to 19 U.S.C. §§ 1607 – 1609, by way of 21 U.S.C. § 881(d) and 18 U.S.C.
5 § 981(d), on the grounds it constitutes proceeds of the distribution of controlled
6 substances, or moneys furnished for the purchase of controlled substances, in violation of
7 21 U.S.C. §§ 841 and 846.

8 **D. *Administrative Procedures***

9 33. On or about September 10, 2020, the USPS sent notice to all identified
10 potentially interested parties that the currency from the Parcel had been seized, as
11 required by 18 U.S.C. § 983(a)(1). Those notices included instructions for petitioning for
12 administrative remission of the currency or filing a claim seeking judicial process on its
13 forfeitability.

14 34. On September 17, 2020, the USPS received an administrative claim to the
15 Defendant Currency from David Schneider. In his claim, Mr. Schneider explained, “I
16 have a private verbal agreement with my friend Charles King to invest his savings into
17 my online stock trading sources. This is the second investment of funds Charles King
18 gave to me after we thought the previous loan money was stolen in the mail. (Asset #20-
19 USP-001774) \$18,000.”

20 **E. *Prior Package Seizure Referenced by Mr. Schneider in His Claim***

21 35. As discussed more fully below, the “previous loan money” that Mr.
22 Schneider references in his claim was seized by federal law enforcement officers on June
23 12, 2020, as proceeds of drug trafficking and is the subject of another civil forfeiture
24 Complaint in the Western District of Virginia. That currency was hidden inside another
25 “Crunch” amplifier that was mailed from Roanoke, Virginia to an address in Bellingham,
26 Washington. Mr. Schneider was not the named addressee on this package, but he did file
27 a claim asserting ownership of the currency hidden within the package. The information
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1 about the circumstances surrounding the seizure of this package was provided by federal
2 law enforcement officers in the Western District of Virginia.

3 36. On June 10, 2020, Dean Akers retrieved a USPS Priority Mail parcel at the
4 South Roanoke Station Post Office in Roanoke, Virginia. The return address information
5 on the parcel was “Christina Gatmaytan, 2816 Moore St., Bellingham, WA 98226.” The
6 parcel was addressed to Dean Akers, 5459 Clearwood Dr., Roanoke, VA 24014.

7 37. After retrieving the parcel, Mr. Akers drove from the South Roanoke
8 Station Post Office to his residence at 5459 Clearwood Drive, Roanoke, VA 24014.
9 While in his residence, Mr. Akers placed a large sum of U.S. Currency inside a container.

10 38. Charles King took the container with U.S. currency from Mr. Akers’
11 residence and drove to the Cave Spring Branch Post Office located in Roanoke, Virginia.

12 39. Mr. King mailed this container on June 10, 2020, which was labeled as
13 USPS Priority Mail Express box #EJ283242759US (the “June Parcel”). The June Parcel
14 was addressed to Maria Gatmaytan, 2816 Moore St., Bellingham, Washington 98226.
15 The sender information on the package was “C.B. Kane, 549 Mtn Ave, Rke, VA 24016.”
16 A photograph of the outside of the June Parcel is included below:

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40. On June 10, 2020, law enforcement executed a search warrant at Mr. Akers' residence. During the search, detectives seized cocaine, marijuana, and firearms from the residence. In an interview during the execution of the search warrant, Mr. Akers told law enforcement that he received marijuana and tetrahydrocannabinol (THC) wax from the state of Washington. Mr. Akers also said that Mr. King collected money in Roanoke and sent it to David Schneider in Washington state as payment for the marijuana and THC wax. Mr. Akers told law enforcement that the amount of money Mr. King sent to Mr. Schneider was in the high teens of thousands.

41. On June 11, 2020, Postal Inspector McCafferty requested the assistance of Roanoke Police Department Officer A.S. Goad and his narcotic detection canine, "Kratos." The June Parcel was placed in a blind parcel lineup and subjected to an exterior search by Kratos, who positively alerted to the June Parcel. Officer Goad indicated that this positive alert meant that Kratos detected the odor of an illegal drug emanating from the June Parcel.

1 42. On June 12, 2020, Postal Inspector Sean McCafferty obtained a federal
2 search warrant, Cause No. 7:20MJ-73, to search the June Parcel from Western District of
3 Virginia Magistrate Judge Robert S. Ballou. Postal Inspector McAlister and Roanoke
4 County Police Department Detective Knicely executed the search warrant on June 12,
5 2020.

6 43. When they opened the June Parcel, they found \$18,900 in U.S. Currency,
7 vacuum sealed, placed in a large silver Mylar bag, and concealed within a “Crunch”
8 Amplifier. The currency consisted of 33 \$100 bills (\$3,300); 22 \$50 bills (\$1,100); 683
9 \$20 bills (\$13,660); and three \$10 bills (\$30). Photographs of the contents of the June
10 Parcel are included below:

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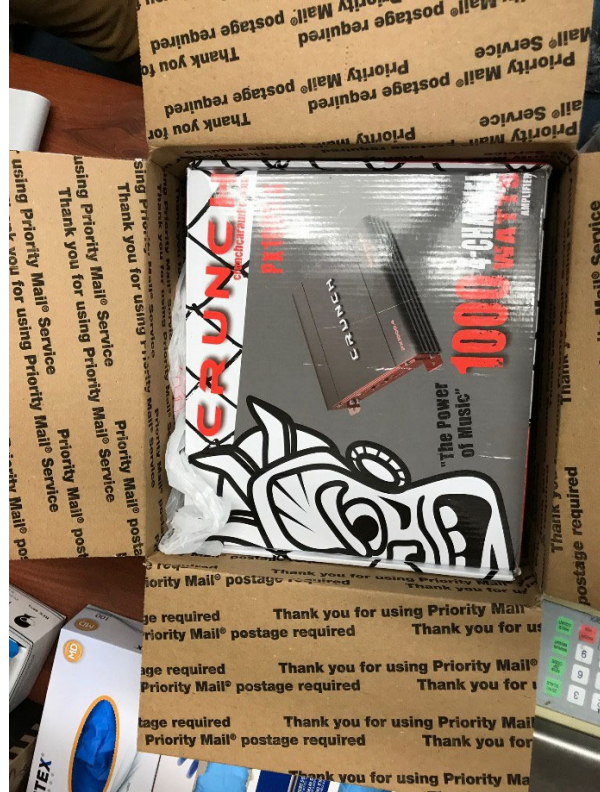
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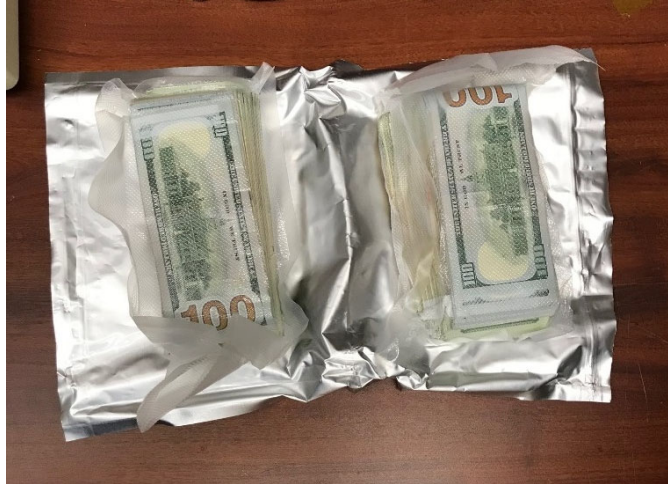
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44. On September 3, 2020, Mr. Schneider filed a claim with the USPIS for return of the \$18,900 seized from the June Parcel. Mr. Schneider was not, however, the listed recipient of the June Parcel. Both Ms. Gatmaytan, the listed recipient, and Mr. King, the sender, were notified of the impending forfeiture by Certified Mail. Neither filed claims in the administrative forfeiture procedure.

45. On October 5, 2020, Mr. Akers was arrested, based on an Indictment filed in Roanoke County, Virginia Circuit Court, for distribution of marijuana, distribution of cocaine, and possession of a firearm by a convicted felon.

46. On November 12, 2020, a Verified Complaint for Forfeiture *In Rem* was filed against the \$18,900 in U.S. Currency seized from the June Parcel, in the Western District of Virginia (Cause No. 7:20-cv-00666).

F. Additional Mailing Activity

47. Review of U.S. Postal Service databases revealed that approximately 27 Express or Priority parcels have been mailed from Roanoke, Virginia to 1154 Lakewood Lane, Bellingham, WA 98229 between January 3, 2020 and September 25, 2020. Six of these packages were mailed after the seizure of the Defendant Currency on July 17, 2020. The 27 parcels range from less than 1 pound to 9.18 pounds. The parcels were all “retail” parcels, meaning they were paid for over the counter.

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V. REQUEST FOR RELIEF

As required by Supplemental Rule G(2)(f), the facts set forth in this Verified Complaint support a reasonable belief that the United States will be able to meet its burden of proof at trial. More specifically, there is probable cause to believe that the Defendant Currency is forfeitable pursuant to 21 U.S.C. § 881(a)(6) because it constitutes moneys furnished, or intended to be furnished, in exchange for a controlled substance or proceeds from such an exchange, in violation of 21 U.S.C. §§ 841(a)(1) (distribution of controlled substances) and 846 (attempt or conspiracy to distribute controlled substances).

WHEREFORE, the United States respectfully requests:

1. A warrant issue for the arrest of the Defendant Currency;
2. That due notice be given to all interested parties to appear and show cause why the Defendant Currency should not be forfeited;
3. The Defendant Currency be forfeited to the United States for disposition according to law; and,
4. For such other and further relief as this Court may deem just and proper.

DATED this 15th day of December, 2020.

Respectfully submitted,

BRIAN T. MORAN
United States Attorney



KRISTA K. BUSH
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
(206) 553-2242
Krista.Bush@usdoj.gov

VERIFICATION

I, Michael D. Harrold, am a Postal Inspector with the United States Postal Inspection Service ("USPIS"), assigned to investigate the unlawful transportation of contraband, including Title 21 controlled substances, through the United States mail. I have been a Postal Inspector since December, 2018, and I am currently assigned to the Seattle Division Headquarters office, located in Seattle, Washington. I have completed the Criminal Investigator Training Program (CITP) at the Federal Law Enforcement Training Center (FLEC). I completed the Naval Criminal Investigative Service (NCIS) Special Agent Basic Training Program in 2011 and served as a Special Agent with NCIS from 2011 to 2018. From 2001 to 2011, I was a Trooper with the Georgia State Patrol (GSP), completing Trooper School ^{AT} ~~at~~ the Georgia Public Safety Training Center (GPSTC). I also served as a Police Officer with the Marietta, GA Police Department from 1999 to 2001. I have received training on the identification of controlled substances and interdiction of controlled substances.

As part of my duties as a Postal Inspector, I investigate incidents in which the United States mail system is used for the purpose of transporting illegal materials, including controlled substances such as marijuana, cocaine, methamphetamine, and heroin, as well as proceeds of the sale of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and substances mailed in violation of Title 18, United States Code, Section 1716 (injurious articles). I have received specialized training in the investigation of controlled substances in the United States mails, including identifying parcels with characteristics of criminal activity. I have also received training on the identification of controlled substances and interdiction of controlled substances. During the course of my employment as a law enforcement officer, I have participated in many criminal investigations involving suspicious parcels and controlled substances.

I am an investigating or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am empowered by law to conduct

1 investigations and to make arrests for federal offenses. I furnished the investigative facts
2 contained in the foregoing Verified Complaint for Forfeiture *In Rem*. The investigative
3 facts are based on personal knowledge I obtained from my involvement in the underlying
4 investigation, my review of the relevant investigative material, other law enforcement
5 officers involved in the investigation, other reliable official Government sources, and my
6 own training and experience.

7 I hereby verify and declare, under penalty of perjury pursuant to 28 U.S.C. § 1746,
8 that I have read the foregoing Verified Complaint for Forfeiture *In Rem*, that I know its
9 contents, and that the facts it contains are true and correct to the best of my knowledge.

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11 Executed this 15TH day of December, 2020.

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15 MICHAEL D. HARROLD
16 Postal Inspector
17 United States Postal Inspection Service
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JS 44 (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA,

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Krista K. Bush, Assistant United States Attorney
700 Stewart Street, Suite 5220, Seattle, Washington 98101-1271
(206) 553-2242, Facsimile: (206) 553-6934

DEFENDANTS

\$18,000 IN U.S. CURRENCY, AND
ANY ACCRUED INTEREST

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWW/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 U.S.C. § 881(a)(6) for violations of 21 U.S.C. §§ 841(a)(1) and 846.

Brief description of cause:

Moneys furnished or intended to be furnished in exchange for controlled substances or constituting proceeds of such an exchange.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

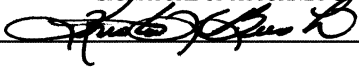
JUDGE _____

DOCKET NUMBER _____

DATE

12-15-2020

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
\$18,000 IN U.S. CURRENCY,
AND ANY ACCRUED INTEREST,
Defendant.

NO. CV20-1811

WARRANT OF ARREST *IN REM*

TO: UNITED STATES MARSHALS SERVICE,
and/or its duly authorized agents and representatives

WHEREAS, a Verified Complaint for Forfeiture *in Rem* has been filed on December 15, 2020, in the United States District Court for the Western District of Washington, alleging the above-captioned \$18,000 in U.S. Currency and Any Accrued Interest (hereafter “the Defendant Currency”) is subject to seizure and forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) for violations of 21 U.S.C. §§ 841(a)(1) (distribution of controlled substances) and 846 (attempt or conspiracy to distribute controlled substances);

WHEREAS, as reflected in the Verified Complaint, the Defendant Currency is in the government’s possession, custody, and control;

1 YOU ARE, THEREFORE, HEREBY COMMANDED, pursuant to Supplemental
2 Rule G(3)(b)(i) of the Federal Rules of Civil Procedure, to arrest and seize the Defendant
3 Currency; and,

4 YOU ARE FURTHER COMMANDED that, after executing this arrest and
5 seizure, you promptly file a record so reflecting in this Court.

6
7 DATED this _____ day of _____, 2020.

8
9 WILLIAM M. McCOOL
10 UNITED STATES DISTRICT COURT CLERK

11
12 By: _____
13 DEPUTY CLERK

14
15
16 Presented by:

17
18 
19 KRISTA K. BUSH
20 Assistant United States Attorney
21 United States Attorney's Office
22 700 Stewart Street, Suite 5220
23 Seattle, WA 98101-1271
24 Telephone: (206) 553-2242
25 Email: Krista.Bush@usdoj.gov

26
27 *NOTE: This warrant is issued pursuant to Rule G(3) of the Supplemental Rules for Admiralty or*
28 *Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure.*